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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,071	07/16/2003	Bruce Edward Stuckman	8285/628	1839
83808	7590	04/29/2009		
AT & T Legal Department - BHGL			EXAMINER	
Attn: Patent Docketing Room 2A-207			AL AUBAIDI, RASHA S	
One AT&T Way				
Bedminster, NJ 07921			ART UNIT	PAPER NUMBER
			2614	
			MAIL DATE	DELIVERY MODE
			04/29/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/622,071

Applicant(s)

STUCKMAN ET AL.

Examiner

RASHA S. AL AUBAIDI

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-47 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 26-47 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/55/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Response to Amendment

1. This in response to pre-appeal conference decision mailed 02/12/2009, PROSECUTION IS HEREBY REOPENED. New ground of rejection set forth below. Claims 26-47 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 26-28, 30-36, 38-44 and 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boakes (US PAT # 5,879,468) in view of Makino et al. (US PAT 5,388,251).

Regarding claims 26, 35, 39 and 43, Boakes teaches a telephone set (10) comprising: a help key (reads on shift key 24); a first telephone service key to initiate a first telephone service (reads on the memory access key 18a); and a logic circuit (which reads on the microprocessor 14) to detect actuation of the help key and the first telephone service key, and in response thereto, to retrieve help information specific to the first service (col. 2, lines 33-50).

While Boakes does not specifically teach what is stored in memory keys and Boakes does not teach actuation of the help key and the first telephone service key will retrieve help information specific to that first telephone service key.

However, Examiner now introduces Makino which specifically teaches when a function key "print" is depressed simultaneously with the help key 13 state explanation message is displayed (see col. 6, lines 8-12 and col. 5, lines 48-53).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of storing any desired information (such as help information) to be displayed and presented in the event of pressing the help key

with any other function key in order to provide **help aid and description** about that specific function key.

Regarding claims 27, 33, 36 and 41-44 Boakes teaches a second telephone service key to initiate a second telephone service (see col. 2, lines 43-49), wherein the logic circuit (microprocessor 14) is to detect actuation of the help key and the second telephone service key, and in response thereto, to retrieve help information specific to the second telephone service.

Claim 32 recites "to access a telephone server having help information specific to the first telephone service". This limitation is obvious since any type of information can be stored either at a server or at the telephone itself based on the individual need and desire. Storing the information on the telephone or at the server will not rise the invention to the level of patentability.

Regarding claim 28, Boakes teaches the telephone set comprising a memory having the help information (reads on element 40, see col. 4, lines 15-18).

Regarding claim 30, Boakes teaches the telephone set comprising a plurality of telephone dialing keys including ten digit key, a pound key, and an asterisk key (see col. 3, lines 43-45).

Regarding claims 31, 38 and 46, the display device that visibly present the help information is obvious since many telephones uses the LCD display to display and confirms telephone information to the user.

For claims 34, 40 and 47, the use of and IVR is obvious. This limitation is old and well known in the art.

4. Claims 29, 37 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boakes (US PAT # 5,879,468) in view of Makino et al. (US PAT # 5,388,251) and further in view of Popular Mechanics (vol. 159, No. 4, April 1983, P. 199).

For claims 29, 37 and 45, the combination of Boakes and Makino does not specifically teach "an audio output device to audibly present the help information".

However, Popular Mechanics teaches a phone actually talks to you and tells the number that you pushed.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of speaking up the dialed telephone number, as taught by Popular Mechanics in the combination of Boakes and Makino

system in order to serve the purpose of presenting a confirmation to the user by speaking the dialed telephone number to avoid any mistakes or confusion.

Regarding claims, Boakes teaches a telephone set (10) comprising: a help key (reads on shift key 24); a first telephone service key to initiate a first telephone service (reads on the memory access key 18a); and a logic circuit (which reads on the microprocessor 14) to detect actuation of the help key and the first telephone service key, and in response thereto, to retrieve help information specific to the first service (col. 2, lines 33-50).

5. Claims 26, 35, 39 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makino et al. in view of Boakes.

Regarding claims 26, 35, 39 and 43, Makino teaches in a display for a use in a computer system a help message will be presented in the event of pressing a function key (such as print) simultaneously with a help key 13. The help message will provide explanation regarding the function key (print) (see abstract and col. 6, lines 8-12 and col. 5, lines 48-53).

Makino does not specifically "a telephone set comprising a help key" as recited in the claim's language.

However, Boakes teaches a telephone set (10) comprising: a help key (reads on shift key 24); a first telephone service key to initiate a first telephone service (reads on the memory access key 18a); and a logic circuit (which reads on the microprocessor 14) to detect actuation of the help key to retrieve help information (col. 2, lines 33-50).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of having a help key that display message regarding a function key that is depressed at the same time s the help key, as taught by Makino into the Boakes system in order to provide the user with **help aid and description** about that specific function key. Note that it is obvious to apply the teachings of Makino in a different environment (i.e., telephony) such as the one suggested by Boakes.

Response to Arguments

6. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Rasha S AL-Aubaidi/

Primary Examiner, Art Unit 2614